UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

HOWARD KAPLAN,)) CDVII. A CTIONING 04 10956MEI
Plaintiff,) CIVIL ACTION NO. 04-10856MEL)
v.)
WEND MANAGEMENT, INC., WENDY'S OLD FASHIONED HAMBURGERS OF NEW YORK,)))
Defendants.)))

NOTICE OF APPEARANCE

Please enter my appearance as attorney for the defendants, Wend Management, Inc. and Wendy's Old Fashioned Hamburgers of New York in the above-entitled action.

WEND MANAGEMENT, INC. and WENDY'S OLD FASHIONED HAMBURGERS OF NEW YORK,

By their attorneys,

Gary M. Feldman

BBO #162070_

DAVIS, MALM & D'AGOSTINE, P.C.

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Dated: May 6, 2004